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ICE Consulting, Inc.; Uzair Sattar; and Derick Needham

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ICE CONSULTING, INC., UZAIR
SATTAR, and DERICK NEEDHAM

Plaintiffs and Counter-
Defendants,

vs.

GAVIN JENSEN,

Defendant and Counter-
Claimant.

Case No: 3:16-cv-04349-EMC

**STIPULATION TO CONTINUE
CASE MANAGEMENT
CONFERENCE AND HEARING
ON ICE CONSULTING, INC.'S
MOTION TO DISMISS AND
[PROPOSED] ORDER**

Current Date of CMC: Jan. 12, 2017
Proposed New Date
Of CMC: Feb. 2, 2017

Trial: Not Set

1 Pursuant to Local Rule 6-2, Plaintiffs and Counter-Defendants ICE
2 Consulting, Inc. (“ICE”), Uzair Sattar, and Derick Needham (collectively,
3 “Plaintiffs”), and Defendant and Counter-Claimant Gavin Jensen (“Defendant”)
4 (Plaintiffs and Defendant are herein referred to collectively as the “Parties”), by
5 and through their respective counsel, hereby enter into this Stipulation to Continue
6 the Case Management Conference and Hearing on ICE’s Motion to Dismiss. This
7 Stipulation is based on the contents of this stipulation and the Declaration of
8 Andrew C. Crane (“Crane Dec.”), filed concurrently herewith.

9 WHEREAS, on December 9, 2016, the Parties reached a settlement in
10 principle. Crane Dec., ¶ 2.

11 WHEREAS, on December 12, 2016, the Parties submitted a Notice of
12 Conditional Settlement and Request to Stay Proceedings (Dkt. No. 97), informing
13 the Court of the settlement in principle and requesting time to prepare and execute
14 the settlement documents. Crane Dec., ¶ 3.

15 WHEREAS, the Court entered an Order staying all proceedings, and
16 resetting the hearing date for ICE’s Motion to Dismiss Defendant’s Second, Third,
17 Fourth, and Fifth Counterclaims (“Motion to Dismiss”) to January 12, 2017 at
18 1:30 p.m. (Dkt. No. 99). Per this same order, the Court also reset the Case
19 Management Conference from December 15, 2016, to January 12, 2017. Crane
20 Dec., ¶ 3.

21 WHEREAS, on January 4, 2017, counsel for the Parties received a request
22 from the clerk of this Court regarding the status of the Parties’ settlement. Crane
23 Dec., ¶ 4.

24 WHEREAS, on January 5, 2017, counsel for Plaintiffs explained that
25 (1) due to the intervening holiday season and respective holiday travel on the part
26 of the Parties and their respective counsel, the settlement agreement has not yet
27 been finalized, although the Parties anticipate finalizing the terms of the settlement
28

1 agreement within a matter of days; and (2) the Parties intend to file a Joint Motion
 2 requesting the Court to retain jurisdiction to enforce the settlement agreement no
 3 later than January 12, 2017, followed by a Joint Request for Dismissal. Crane
 4 Dec., ¶ 4.

5 WHEREAS, in response, the clerk of this Court suggested the Parties
 6 submit a stipulation continuing the hearing date on ICE's Motion to Dismiss to
 7 avoid the Court spending unnecessary time preparing for the Motion. Crane Dec.,
 8 ¶ 5.

9 WHEREAS, the three week extension sought by this Stipulation will not
 10 affect any other dates currently calendared, because as of the filing of this
 11 Stipulation, there are no dates currently calendared beyond the hearing and Case
 12 Management Conference. Moreover, as set forth above, the Parties have settled
 13 this matter in principle and will be submitting filings with the Court regarding the
 14 settlement within a matter of days. Crane Dec., ¶ 6.

15 THEREFORE, THE PARTIES HEREBY STIPULATE:

16 That the hearing on ICE's Motion to Dismiss and the Case Management
 17 Conference shall be continued from January 12, 2017, to February ² 2, 2017, at 1:30
 18 p.m.

19 IT IS SO STIPULATED.

20
 21 Date: January 6, 2017

NOSSAMAN LLP
 VERONICA M. GRAY
 ANDREW C. CRANE

22
 23 By: /s/ Andrew C. Crane

24 Andrew C. Crane

25 Attorneys for Plaintiffs and Counter-
 26 Defendants
 27 ICE Consulting, Inc.; Uzair Sattar;
 28 and Derick Needham

1 Date: January 6, 2017

DHILLON LAW GROUP INC

2 By: /s/ Nitoj P. Singh

3 Nitoj P. Singh

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5 Claimant
6 Gavin Jensen

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17 Attorneys for Defendant Gavin Jensen

ORDER

**PURSUANT TO THE STIPULATION AND GOOD CAUSE APPEARING,
IT IS SO ORDERED** that the Motion to Dismiss and the Case Management
Conference be continued to February ²~~3~~, 2017 at 1:30 P.M. in Department 5.

